

Serial No. 10/719,533

706764US1

IN THE DRAWINGS:

Applicant has attached a replacement sheet for Figure 1 in which the electromagnetic coil is now shown.

Serial No. 10/719,583

706764US1

REMARKS

Applicants have carefully reviewed the Examiner's comments in the Office Action and have prepared the following response.

Claims 1-12 remain pending in this application. By this paper, Applicants have amended claims 1-8 of the application. Figure 1 has been revised to include the electromagnetic coil.

Turning now to the issues raised in the Office Action, the Examiner objected to the drawings under 37 C.F.R. 1.83(a) for failure to show the electromagnetic coil (as recited in claim 1) of the application. Applicants note that Figure 1 as filed symbolically represented the electromagnetic coil, but erroneously did not include a reference number. Accordingly, the above amendments to the Figure 1 of the Drawings and to the full paragraph beginning at Page 5, line 15 of the Specification are believed to obviate the objection to the drawings cited by the Examiner. In addition, claims 2-5 and 8 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner rejected claims 2-5 and 8 on the basis of an insufficient antecedent basis for "said inner metallic sheet and said outer metallic sheet." Applicants note that the above amendments to claims 2-8 are believed to obviate the Examiner's stated rejection to claims 2-5 and 8 by appropriately correcting the insufficient antecedent basis issues cited by the Examiner. Support for the above amendments can be found in the full paragraph beginning at Page 5, line 15 of the Specification.

In the Office Action, claims 1-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hutton et al. (U.S. Patent 4,602,139, hereinafter "Hutton"). Applicants respectfully traverse each of these rejections, and request consideration in view of the above amendments and the following comments.

More specifically, as set forth in Applicants' amended independent claims 1 and 7, there is a hemming apparatus arranged to mechanically fold a portion of the outer sheet metal panel over a

Serial No. 10/719,583

7067641US1

portion of the inner sheet metal panel and an electromagnetic coil positioned relative to the hemming apparatus and arranged to selectively apply an additional force to the folded portion of the outer sheet metal panel. The combination of the mechanical folding and applying the additional force crimps, welds, or crimps and welds an outer sheet metal panel to an inner metal panel. Support for the above amendments can be found at Page 6, lines 1-15 of the Specification. Providing an electromagnetic coil positioned relative to the hemming apparatus and arranged to selectively apply an additional force to the folded portion of the outer sheet metal panel to crimp, weld, or crimp and weld an outer sheet metal panel to an inner sheet metal panel serves to eliminate the requirement of a two part epoxy bonding process which is both costly and time consuming. In contrast, none of the references relied on by the Examiner disclose or suggest an electromagnetic coil positioned relative to the hemming apparatus and arranged to selectively apply an additional force to the folded portion of an outer sheet metal panel to an inner metal panel. For example, Hutton discloses a method of bonding together an assembly of at least two overlapped portions of sheet metal (26, 28) with a ribbon of plastic adhesive or resin (32) which is cured by heating the plastic adhesive or resin (32) to an elevated temperature. Applicant avers that Hutton does not disclose an electromagnetic coil positioned relative to the hemming apparatus and arranged to selectively apply an additional force to the folded portion of an outer sheet metal panel to an inner sheet metal panel. Applicant further avers that the current disclosure of Hutton discloses or suggests heating the plastic resin through the use of an induction apparatus (20) comprising a pair of induction coils (138, 140) of an electrically conductive metal in spaced apart and generally opposed relation to one another. As such, Applicants contend that independent claims 1 and 7 are patentably distinguishable over the cited reference, whether considered alone or in combination.

With respect to the remaining dependent claims 2-6 and 8-12, without conceding the Examiner's position, Applicants contend these claims are allowable as a result of their dependency from either claim 1 or 7.

Serial No. 10/719,583

706764US1

Applicants note that the above amendments are not to be construed as a concession to the Examiner's position regarding the prior art. Applicants are merely trying to expedite allowance of the present application, and hereby preserve the right to pursue the rejected claims in a continuance application.

From the foregoing, Applicants submit that the remaining claims in this patent application are now in condition for allowance. Accordingly, reconsideration of the claims and passage of the application to issue are courteously requested. If a telephone conference would expedite allowance or resolve any further questions, such a conference with the undersigned is invited at the convenience of the Examiner.

Respectfully submitted,



Ralph E. Smith
Reg. No. 35,474

Dated: 3/1/05

DAIMLERCHRYSLER INTELLECTUAL CAPITAL COMPANY, LLC
DAIMLERCHRYSLER TECHNOLOGY CENTER
800 CHRYSLER DRIVE, CIMS 483-02-19
AUBURN HILLS, MI 48326-2757
248.944.6519